

ESTTA Tracking number: **ESTTA676256**

Filing date: **06/04/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Disney Enterprises, Inc.
Granted to Date of previous extension	08/05/2015
Address	500 South Buena Vista Street Burbank, CA 91521 UNITED STATES
Attorney information	Linda K. McLeod Kelly IP, LLP 1919 M Street, N.W.Suite 610 Washington, DC 20036 UNITED STATES linda.mcleod@kelly-ip.com, docketing@kelly-ip.com, larry.white@kelly-ip.com, DisneyOpp@kelly-ip.com

Applicant Information

Application No	86440461	Publication date	04/07/2015
Opposition Filing Date	06/04/2015	Opposition Period Ends	08/05/2015
Applicant	Herman, Barbara A 1053 Visalia Costa Mesa, CA 92626 UNITED STATES		

Goods/Services Affected by Opposition


Class 003. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Perfumes


Grounds for Opposition

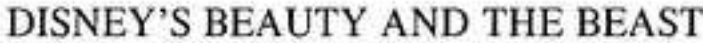
Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	86340730	Application Date	07/17/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DISNEY BEAUTY AND THE BEAST		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2010/05/31 First Use In Commerce: 2010/05/31 (Based on Use in Commerce) T-shirts; (Based on Intent to Use) Baseball caps and hats; Hooded sweatshirts

U.S. Registration No.	2990950	Application Date	01/21/2003
Registration Date	09/06/2005	Foreign Priority Date	NONE
Word Mark	DISNEY'S BEAUTY AND THE BEAST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1991/11/22 First Use In Commerce: 1991/11/22 Pre-recorded compact discs [and audio tapes,] featuring music; pre-recorded video tapes and DVD's featuring animated entertainment		

U.S. Registration No.	2961693	Application Date	01/21/2003
Registration Date	06/14/2005	Foreign Priority Date	NONE
Word Mark	DISNEY'S BEAUTY AND THE BEAST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1994/04/18 First Use In Commerce: 1994/04/18 entertainment in the nature of theater productions		

U.S. Registration No.	2870954	Application Date	01/21/2003
Registration Date	08/10/2004	Foreign Priority Date	NONE
Word Mark	DISNEY'S BEAUTY AND THE BEAST		

Design Mark	DISNEY'S BEAUTY AND THE BEAST
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1991/11/22 First Use In Commerce: 1991/11/22 [T-shirts, sweatshirts, jackets and] caps

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	BEAUTY AND THE BEAST		
Goods/Services	perfume, eau de toilette products, entertainment services, films, television shows, musicals, books, video games, t-shirts, caps, among other goods and services listed in the Notice of Opposition		

Attachments	86340730#TMSN.png(bytes) 76484028#TMSN.png(bytes) 76484026#TMSN.png(bytes) 76484027#TMSN.png(bytes) Final Notice of Opposition - Beauty and the Beast.pdf(3172942 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Linda K. McLeod/
Name	Linda K. McLeod
Date	06/04/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DISNEY ENTERPRISES, INC., Opposer v. BARBARA HERMAN, Applicant.	Opposition No.: Mark: BEAUTY AND THE BEAST Serial No.: 86440461 Filed: October 30, 2014
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NOTICE OF OPPOSITION

Opposer, Disney Enterprises, Inc. ("Opposer"), a corporation of the State of Delaware, having a principal place of business at 500 South Buena Vista Street, Burbank, California, 91521, believes that it is being damaged, and will be damaged, by the registration of the mark BEAUTY AND THE BEAST shown in Application Serial No. 86440461, and hereby opposes the same. As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to Opposer's own acts, and upon information and belief as to other matters:

Opposer and its Business

1. Opposer, Disney Enterprises, Inc., is a corporation of the State of Delaware, having a principal place of business at 500 South Buena Vista Street, Burbank, California, 91521.
2. Opposer, through its related companies and licensees, is one of the world's leading producers and providers of entertainment, films, music, and consumer products. Opposer engages in a vast licensing program under which it uses or licenses the use of its properties and characters in connection with a wide variety of products

and services, including but not limited to entertainment services, television programs, motion picture films, comic books, toys, dolls, sporting goods, bags, personal care products, linens, towels, apparel, food, interactive theme parks, online games, computer games, video games, music, and mobile applications.

Opposer and its BEAUTY AND THE BEAST Marks

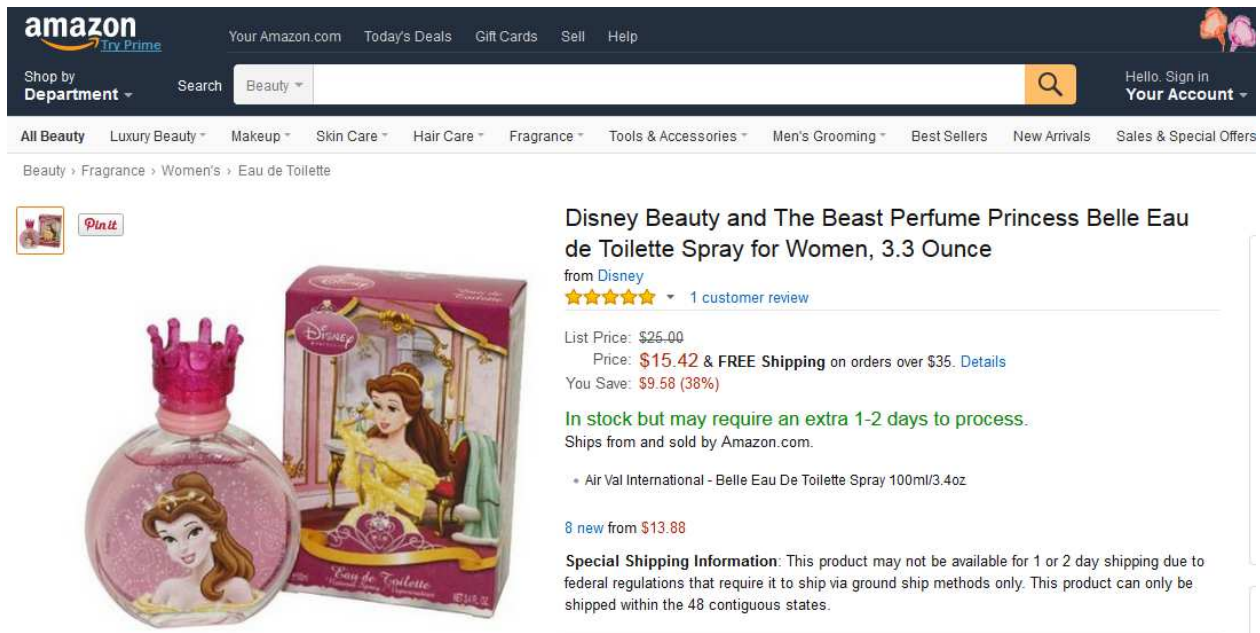
3. Since at least 1991, Opposer, through its predecessors, related companies, and licensees, has used its BEAUTY AND THE BEAST Mark in commerce in connection with its well-known *Beauty and the Beast* films and franchise. Opposer's first *Beauty and the Beast* animated film was released on November 22, 1991 to critical acclaim, winning the 1992 Golden Globe Award for Best Motion Picture – Musical or Comedy and being nominated for the 1992 Academy Award for Best Picture. Over its lifetime, the *Beauty and the Beast* animated film has grossed over \$424 million worldwide. The immense success of the *Beauty and the Beast* animated film led to the creation of a *Beauty and the Beast* series and franchise, including the films *Beauty and the Beast: The Enchanted Christmas* (1997), *Beauty and the Beast: Belle's Magical World* (1998), and *Belle's Tales of Friendship* (1999), the television series *Sing Me a Story with Belle* (1995-1999), the DISNEY PRINCESS franchise including films, books, and merchandise about Belle, the main character of *Beauty and the Beast*, and other princesses, as well as a wildly successful and long-running *Beauty and the Beast* Broadway musical, which ran for 5,461 performances between 1994 and 2007.

4. Since at least 1991, Disney has used its BEAUTY AND THE BEAST Mark in commerce in connection with a Broadway-style musical called *Beauty and the Beast*:

Live on Stage! The live action musical is performed several times daily at a 1,500-seat theater at Disney's Hollywood Studios theme park in Florida.

5. Since at least 1994, Disney has used its BEAUTY AND THE BEAST Mark in commerce in connection with video games, such as *Beauty and the Beast: Belle's Quest* (1993) and *Beauty and the Beast: Roar of the Beast* (1993) for Sega Genesis, *Disney's Beauty and the Beast* (1995) for the Super Nintendo Entertainment System, and *Disney's Beauty and the Beast: A Board Game Adventure* (1999) for Nintendo Game Boy.

6. Since at least 2008, Disney has used its BEAUTY AND THE BEAST Mark in commerce for perfume and eau de toilette products. Representative samples of such products prominently displaying the BEAUTY AND THE BEAST Mark are shown below.



The screenshot shows an Amazon product page for "Disney Beauty and The Beast Perfume Princess Belle Eau de Toilette Spray for Women, 3.3 Ounce". The product is by Disney and has a 5-star rating from 1 customer review. The list price is \$25.00, and the current price is \$15.42 with free shipping on orders over \$35. The product is in stock but may require an extra 1-2 days to process. The page also shows the product image, which is a pink bottle with a crown-shaped cap and a box featuring Belle from Disney's Beauty and the Beast.

New Moon Direct Sales - Online Shopping Mall - Windows Internet Explorer

http://www.nmdsales.com/Store/display_item_detail.asp?system=1&prodid=7&catid=366&subcatid=85&itemid=441221

Google NEW MOON MALL

File Edit View Favorites Tools Help

New Moon Direct Sales - Online Shopping Mall

Use browse by warehouse

Username (email)
 Password
 Login
 Forgot my password
 [Register] for a quick and faster checkout!
 Shopping Cart
 Quantity: 0 View
 Amount: \$0.00
 Links

Beauty And The Beast By Disney (eau De Toilette Spray 1.7 Oz)

Click here to supersize

Item #: 441220
 List price: \$40.00
Your Price: \$20.05
 You Save: \$19.95 (49.88%)

Add to cart

SHIPPING ESTIMATOR

USA	
Price	: \$20.05
Handling	: \$0.00
Shipping	: \$7.99
Total	: \$28.04

Canada	
Price	: \$20.05
Handling	: \$0.00
Shipping	: \$13.98
Total	: \$34.03

Shipping provided by UPS

Please Note
 Extra large and/or heavy items may require more shipping charges after you made your payment.

Warehouse Fragrances

Shipping locations: All items in this page will ship to the USA only (48 internal states only) and Canada.

Note: orders above \$1,000 will require a wire transfer. In such cases, simply create a ticket and we will send you instructions on how to wire the funds.

No Description

Friday, March 28, 2008

start

Inbox - Micro... Disney - Fac... Editor - Phot... New Moon Di... 1 Reminder

9:31 AM

Disney's® 3-piece Gift Set at HSN.com - Windows Internet Explorer

http://beauty.hsn.com/beauty-the-beast-princess-belle-eau-de-toilette-spray-body-lotion-shower-gel-gift-set_p-4705505_xp.aspx? Live Search

File Edit View Favorites Tools Help

Google home shopping network Go 1171 blocked Check AutoLink Send to Settings

The Hub - Home Disney's® 3-piece Gift ...

HSN Shopping > Beauty > Disney > Fragrance > Childrens Fragrances

Disney's® 3-piece Gift Set Item: 105-9677

Price: \$30
Shipping & Handling: \$5.95
Customer Rating: 4.5/5

1. Beauty & The Beast
2. Quantity: 1

ADD TO CART

Zoom in

Description Customer Reviews Shipping & Handling

Launched by the design house of Disney, Beauty & The Beast Princess Belle Gift Set features an eau de toilette spray, body lotion, and shower gel. The set is housed in a yellow and white gift box with a Belle illustration.

Beauty & The Beast Princess Belle Gift Set Includes:

- 3.4 oz. Princess Belle Eau de Toilette Spray
- 6.8 oz. Princess Belle Body Lotion
- 6.8 oz. Princess Belle Shower Gel
- Gift box
- Made in Italy

HSN.com - Large Product Images - Windows Internet Explorer

http://beauty.hsn.com/cnt/prod/zoom/zoom_viewer.aspx?main_img=4705505w&webp_id=4705505

Click on image to zoom in.
Click and drag on image to pan.

close window

Wednesday, February 25, 2009 12:03 PM

Disney's® 3-piece Gift Set at HSN.com - Windows Internet Explorer

http://beauty.hsn.com/disneys-3-piece-gift-set_m-10041560_xp.aspx?web_id=4705505&ocm=sekw

File Edit View Favorites Tools Help

Google home shopping network Go 1171 blocked Check AutoLink AutoFill Send to Settings

The Hub - Home Disney's® 3-piece Gift ... x

Home Order Status My Account Customer Service Sign In Wish List: 0 Shopping Bag: 0


HSN Free Shipping Store HSN Forums Email Sign Up

search by item # or keyword go

Jewelry Fashion Shoes & Handbags Beauty Kitchen Electronics Home Decor Home Solutions Wellness Crafts & Sewing Clearance View All

HSN Shopping > Beauty > Disney > Fragrance > Childrens Fragrances

Disney's® 3-piece Gift Set



Price: **\$30.00**
Shipping & Handling: \$6.95

ONLY ONLINE

Customer Rating: » be the first to review | Email to a Friend

1. Select option
2. Quantity: 1

☐ This is a gift (details)


ADD TO BAG QUICKBUY

Add to Wish List


BUY MORE BEAUTY SAVE see details

» See All Disney

More Choices



Disney's® 3-piece Gift Set
Price: **\$30.00**



Disney's® 3-piece Gift Set
Price: **\$30.00**

Zoom in


Description Customer Reviews Shipping Info

Launched by the design house of Disney, Beauty & The Beast Princess Belle is a fragrance that possesses a blend of the fresh scent of sweet flowers and tart citrus. This gift set features an eau de toilette spray, a body lotion and a shower gel.

Wednesday, February 25, 2009


Start Inbox - ... Disney's... Microsoft... iTunes Editor - ... Organize... Links 11:59 AM

amazon Try Prime Your Amazon.com Today's Deals Gift Cards Sell Help

Shop by Department **Beauty** Search  Hello, Sign in Your Account

All Beauty Luxury Beauty Makeup Skin Care Hair Care Fragrance Tools & Accessories Men's Grooming Best Sellers New Arrivals Sales & Special Offer

[Back to search results for "beauty and the beast"](#)




Princess Beauty Beast 2 Piece Gift Set (3.4 oz. Eau De Toilette Spray + 5.1 oz. Body Lotion) Girl By Disney
from [Disney](#)
[Be the first to review this item](#)

Price: **\$32.00** + \$8.70 shipping

Only 5 left in stock.
Ships from and sold by [Sequin World](#).


Estimated Delivery Date: May 14 - 19 when you choose Standard at checkout.

- Princess Beauty Beast 2 Piece Gift Set (3.4 oz. Eau De Toilette Spray + 5.1 oz. Body Lotion) Girl By Disney




Mother's Day Gifts
Shop fragrance, gift sets, skin care, luxury beauty, and more. [Shop now.](#)

amazon Try Prime Your Amazon.com Today's Deals Gift Cards Sell Help

Shop by Department **Beauty** Search  Hello, Sign in Your Account

All Beauty Luxury Beauty Makeup Skin Care Hair Care Fragrance Tools & Accessories Men's Grooming Best Sellers New Arrivals Sales & Special Offer

[Back to search results for "beauty and the beast"](#)



Disney Beauty and The Beast Eau de Toilette Spray for Women, 1.7 Ounce
from [Disney](#)
[Be the first to review this item](#)

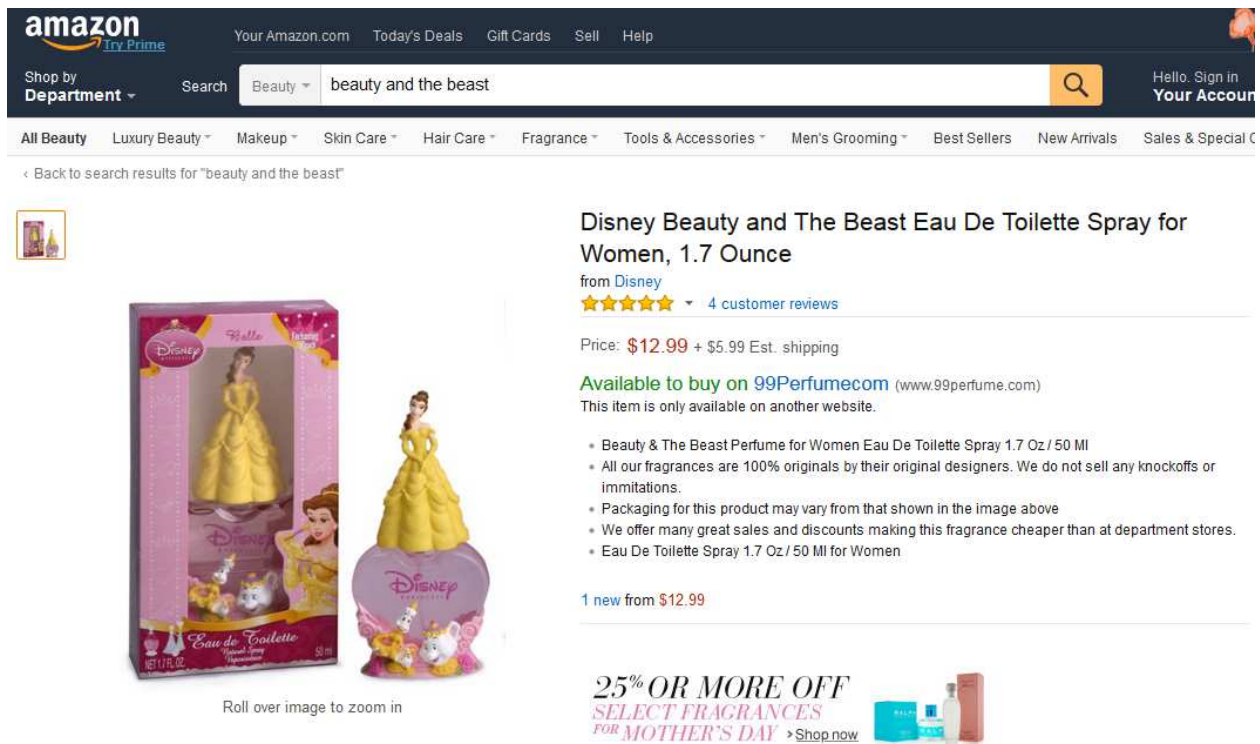
List Price: ~~\$25.00~~
Price: **\$11.17** + \$15.00 shipping
You Save: **\$13.83 (55%)**

In Stock
Ships from and sold by [PerfumesPremium USA](#).

Estimated Delivery Date: May 29 - June 25 when you choose Standard at checkout.

- Beauty & The Beast Perfume for Women Eau De Toilette Spray 1.7 Oz / 50 MI + Charm
- All our fragrances are 100% originals by their original designers. We do not sell any knockoffs or imitations.
- Packaging for this product may vary from that shown in the image above
- We offer many great sales and discounts making this fragrance cheaper than at department stores.
- Eau De Toilette Spray 1.7 Oz / 50 MI + Charm for Women

2 new from \$11.17



7. Since at least 2010, Opposer has used its BEAUTY AND THE BEAST Mark in commerce in connection with t-shirts, caps, and other apparel, among other things.

DISNEY BEAUTY AND THE BEAST Trademark Registrations and Application

8. In addition to its common law rights in its BEAUTY AND THE BEAST Mark, Opposer owns the following valid and subsisting United States trademark application and registrations for the DISNEY BEAUTY AND THE BEAST Marks (printouts from the PTO TSDR and assignment database are attached as Exhibit A) (Collectively, the marks set forth in Paragraphs 4-8 are referred to as "Opposer's BEAUTY AND THE BEAST Marks" and the goods and services identified therein are referred to as "Opposer's Goods and Services").

MARK	APP./ REG. NO.	FILING / REG. DATE	GOODS AND SERVICES
DISNEY BEAUTY AND THE BEAST	86340730	07/17/14	T-shirts (Based on Use) in Class 25 (First Use in Commerce: 05/31/2010) Baseball caps and hats; Hooded sweatshirts (Based on Intent to Use) in Class 25.
DISNEY'S BEAUTY AND THE BEAST	2990950	09/06/05	Pre-recorded compact discs featuring music; pre- recorded video tapes and DVD's featuring animated entertainment in Class 9. (First Use in Commerce: 11/22/1991)
DISNEY'S BEAUTY AND THE BEAST	2961693	06/14/05	Entertainment in the nature of theater productions in Class 41. (First Use in Commerce: 04/18/1994)
DISNEY'S BEAUTY AND THE BEAST	2870954	08/10/04	Caps in Class 25 (First Use in Commerce: 11/22/1991)

9. The above registrations are valid and subsisting and constitute *prima facie* evidence of, and those registrations that are incontestable constitute conclusive evidence of, Opposer's ownership of and exclusive rights to use these marks in commerce on the products recited in the registrations.

Applicant and its BEAUTY AND THE BEAST Mark

10. Applicant Barbara A. Herman ("Applicant") is an individual with an address of 1053 Visalia, Costa Mesa, California 92626.

11. Applicant is the listed owner of Application Serial No. 86440461 (the "Application"), filed on October 30, 2014 under Section 1(b), 15 U.S.C. § 1051(b), for the mark BEAUTY AND THE BEAST for perfumes in International Class 3 ("Applicant's Goods").

Likelihood of Confusion, 15 U.S.C. § 1052(d)

12. Opposer repeats and realleges each and every allegation set forth in Paragraphs 1 through 11 above.

13. Opposer has priority based on its valid and subsisting registrations and prior pending application for Opposer's BEAUTY AND THE BEAST Marks. Opposer also has priority based on its prior common law use of Opposer's BEAUTY AND THE BEAST Marks in commerce in connection with Opposer's Goods and Services before the filing date of the opposed Application Serial No. 86440461 and any date of first use that may be alleged by Applicant.

14. Applicant's Goods are identical and highly related to Opposer's Goods and Services.

15. Applicant's BEAUTY AND THE BEAST Mark so resembles Opposer's previously used and registered BEAUTY AND THE BEAST Marks as to be likely, when registered and used in connection with Applicant's Goods, to cause confusion, or to cause mistake, or to deceive under Section 2(d) of the Lanham Act, as amended, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer believes that it will be damaged by the registration of the mark shown in Application Serial No. 86440461, and requests that the opposition be sustained, and that registration to Applicant be refused.

A filing fee has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 506154.

Respectfully submitted,

Dated: June 4, 2015

By: /Linda K. McLeod/

David M. Kelly
david.kelly@kelly-ip.com
Linda K. McLeod
linda.mcleod@kelly-ip.com
Lindsay B. Allen
lindsay.allen@kelly-ip.com
Kelly IP, LLP
1919 M Street N.W., Suite 610
Washington, D.C. 20036
Telephone: 202-808-3570
Facsimile: 202-354-5232

Attorneys for Opposer
Disney Enterprises, Inc.

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing NOTICE OF
OPPOSITION was served by first class mail, postage prepaid, on June 4, 2015, upon
Applicant's Counsel of record at the following correspondence address of record:

Barbara A. Herman
1053 Visalia Dr.
Costa Mesa, CA 92626-2116

/Larry L. White/
Larry L. White
Litigation Case Manager

EXHIBIT A

Generated on: This page was generated by TSDR on 2015-06-04 10:59:55 EDT

Mark: DISNEY BEAUTY AND THE BEAST

DISNEY BEAUTY AND THE BEAST

US Serial Number: 86340730

Application Filing Date: Jul. 17, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Apr. 14, 2015

Publication Date: Feb. 17, 2015

Notice of Allowance Date: Apr. 14, 2015

Mark Information

Mark Literal Elements: DISNEY BEAUTY AND THE BEAST

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2870954, 2961693, 2990950 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: (Based on Use in Commerce) T-shirts; (Based on Intent to Use) Baseball caps and hats; Hooded sweatshirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a) 1(b)

First Use: May 31, 2010

Use in Commerce: May 31, 2010

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Disney Enterprises, Inc.

Owner Address: 500 South Buena Vista Street
Burbank, CALIFORNIA 91521
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kevin Daley

Attorney Primary Email trademarks@disney.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: KEVIN DALEY
THE WALT DISNEY COMPANY
500 S BUENA VISTA ST
BURBANK, CALIFORNIA 91521-0007
UNITED STATES

Phone: 818-560-1000

Fax: 818-848-6424

Correspondent e-mail: trademarks@disney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 14, 2015	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 17, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 17, 2015	PUBLISHED FOR OPPOSITION	
Jan. 28, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 14, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Jan. 13, 2015	ASSIGNED TO LIE	69712
Dec. 22, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 18, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 17, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 17, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 15, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 15, 2014	NON-FINAL ACTION E-MAILED	6325
Aug. 15, 2014	NON-FINAL ACTION WRITTEN	80801
Aug. 14, 2014	ASSIGNED TO EXAMINER	80801
Jul. 24, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 21, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: WILKE, JOHN

Law Office Assigned: LAW OFFICE 104

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Apr. 14, 2015

Generated on: This page was generated by TSDR on 2015-06-04 11:01:00 EDT

Mark: DISNEY'S BEAUTY AND THE BEAST

DISNEY'S BEAUTY AND THE BEAST

US Serial Number: 76484028
US Registration Number: 2990950
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Apr. 03, 2015
Publication Date: Jun. 14, 2005

Application Filing Date: Jan. 21, 2003
Registration Date: Sep. 06, 2005

Mark Information

Mark Literal Elements: DISNEY'S BEAUTY AND THE BEAST
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 1028641, 1141312, 2279403, 2310987, 2311008, 2428822, 2458414, 2475160, 2531368, 2673502 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Pre-recorded compact discs [and audio tapes,] featuring music; pre-recorded video tapes and DVD's featuring animated entertainment

International Class(es): 009 - Primary Class
U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 1991
Use in Commerce: Nov. 22, 1991

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: Yes
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: Yes	Currently No Basis: No	

Current Owner(s) Information

Owner Name: DISNEY ENTERPRISES, INC.
Owner Address: 500 South Buena Vista Street
Burbank, CALIFORNIA 91521
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kevin Daley
Attorney Primary Email Address: trademarks@disney.com

Docket Number: 23467
Attorney Email Authorized: Yes

Correspondent

Correspondent Kevin Daley
Name/Address: The Walt Disney Company
500 South Buena Vista Street
IP Department - Trademark Group
Burbank, CALIFORNIA 91521
UNITED STATES

Phone: 818-560-6636

Fax: 818-848-6424

Correspondent e-mail: trademarks@disney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 03, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 03, 2015	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Apr. 03, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Apr. 03, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Mar. 19, 2015	TEAS SECTION 8 & 9 RECEIVED	
Mar. 26, 2013	NOTICE OF SUIT	
Dec. 18, 2012	NOTICE OF SUIT	
Sep. 17, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Sep. 17, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Sep. 14, 2010	TEAS SECTION 8 & 15 RECEIVED	
Sep. 06, 2005	REGISTERED-PRINCIPAL REGISTER	
Jun. 14, 2005	PUBLISHED FOR OPPOSITION	
May 25, 2005	NOTICE OF PUBLICATION	
Feb. 22, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	66230
Jan. 06, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 16, 2004	AMENDMENT FROM APPLICANT ENTERED	66230
Aug. 16, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	66230
Sep. 16, 2004	ASSIGNED TO LIE	66230
Aug. 16, 2004	PAPER RECEIVED	
Feb. 13, 2004	NON-FINAL ACTION MAILED	
Jan. 12, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 12, 2004	PAPER RECEIVED	
Jul. 16, 2003	NON-FINAL ACTION MAILED	
Jul. 14, 2003	ASSIGNED TO EXAMINER	76935

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 06, 2015

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 03, 2015

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Mark: DISNEY'S BEAUTY AND THE BEAST

DISNEY'S BEAUTY AND THE BEAST

US Serial Number: 76484026

Application Filing Date: Jan. 21, 2003

US Registration Number: 2961693

Registration Date: Jun. 14, 2005

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Mar. 09, 2015

Publication Date: Mar. 22, 2005

Mark Information

Mark Literal Elements: DISNEY'S BEAUTY AND THE BEAST

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: BEAUTY AND THE BEAST

Related Properties Information

Claimed Ownership of US Registrations: 1343334, 1536967, 2189638

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: entertainment in the nature of theater productions

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 18, 1994

Use in Commerce: Apr. 18, 1994

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: Yes

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: Yes

Currently No Basis: No

Current Owner(s) Information

Owner Name: DISNEY ENTERPRISES, INC.

Owner Address: 500 South Buena Vista Street
Burbank, CALIFORNIA 91521
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kevin Daley

Docket Number: 23468

Attorney Primary Email Address: trademarks@disney.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Kevin Daley
Name/Address: THE WALT DISNEY COMPANY
500 SOUTH BUENA VISTA STREET
IP Department - Trademark Group
BURBANK, CALIFORNIA 91521
UNITED STATES

Phone: (818) 560-6636

Fax: (818) 848-6424

Correspondent e-mail: trademarks@disney.com

Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 09, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 09, 2015	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Mar. 09, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68973
Mar. 09, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Feb. 24, 2015	TEAS SECTION 8 & 9 RECEIVED	
Nov. 17, 2014	NOTICE OF SUIT	
Oct. 03, 2014	NOTICE OF SUIT	
May 06, 2014	NOTICE OF SUIT	
May 05, 2014	NOTICE OF SUIT	
May 05, 2014	NOTICE OF SUIT	
May 05, 2014	NOTICE OF SUIT	
Aug. 09, 2013	NOTICE OF SUIT	
Jul. 25, 2013	NOTICE OF SUIT	
Apr. 17, 2013	NOTICE OF SUIT	
Mar. 26, 2013	NOTICE OF SUIT	
Mar. 07, 2013	NOTICE OF SUIT	
Mar. 05, 2013	NOTICE OF SUIT	
Feb. 27, 2013	NOTICE OF SUIT	
Feb. 06, 2013	NOTICE OF SUIT	
Feb. 01, 2013	NOTICE OF SUIT	
Jan. 24, 2013	NOTICE OF SUIT	
Jan. 22, 2013	NOTICE OF SUIT	
Jan. 18, 2013	NOTICE OF SUIT	
Jan. 16, 2013	NOTICE OF SUIT	
Jan. 11, 2013	NOTICE OF SUIT	
Dec. 18, 2012	NOTICE OF SUIT	
Dec. 17, 2012	NOTICE OF SUIT	
Nov. 26, 2012	NOTICE OF SUIT	
Nov. 09, 2012	NOTICE OF SUIT	
Oct. 23, 2012	NOTICE OF SUIT	
Aug. 07, 2012	NOTICE OF SUIT	
Jun. 25, 2012	NOTICE OF SUIT	
Jun. 08, 2012	NOTICE OF SUIT	
May 15, 2012	NOTICE OF SUIT	
May 10, 2012	NOTICE OF SUIT	
Mar. 11, 2011	NOTICE OF SUIT	
Jan. 11, 2011	NOTICE OF SUIT	
Oct. 27, 2010	NOTICE OF SUIT	

Oct. 27, 2010	NOTICE OF SUIT	
Aug. 05, 2010	NOTICE OF SUIT	
Aug. 03, 2010	NOTICE OF SUIT	
Jul. 02, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Jul. 02, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Jun. 15, 2010	TEAS SECTION 8 & 15 RECEIVED	
Jun. 13, 2008	NOTICE OF SUIT	
May 29, 2008	NOTICE OF SUIT	
May 19, 2008	NOTICE OF SUIT	
Jun. 14, 2005	REGISTERED-PRINCIPAL REGISTER	
Mar. 22, 2005	PUBLISHED FOR OPPOSITION	
Mar. 02, 2005	NOTICE OF PUBLICATION	
Sep. 16, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	78288
Sep. 14, 2004	ASSIGNED TO LIE	78288
Aug. 26, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 06, 2004	SEC. 1(A) CLAIM ADDED	73699
Aug. 23, 2004	ASSIGNED TO EXAMINER	73699
Aug. 21, 2004	PETITION TO REVIVE-GRANTED	69690
Apr. 29, 2004	PETITION TO REVIVE-RECEIVED	
Apr. 29, 2004	PAPER RECEIVED	
Mar. 03, 2004	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Jan. 09, 2004	PAPER RECEIVED	
Jul. 30, 2003	NON-FINAL ACTION MAILED	
Jul. 14, 2003	ASSIGNED TO EXAMINER	73699

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 14, 2015

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 09, 2015

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Mark: DISNEY'S BEAUTY AND THE BEAST

DISNEY'S BEAUTY AND THE BEAST

US Serial Number: 76484027
US Registration Number: 2870954
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jul. 21, 2014
Publication Date: May 18, 2004

Application Filing Date: Jan. 21, 2003
Registration Date: Aug. 10, 2004

Mark Information

Mark Literal Elements: DISNEY'S BEAUTY AND THE BEAST
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 1343334, 1536967, 2189638 and others

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: [T-shirts, sweatshirts, jackets and] caps
International Class(es): 025 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 22, 1991
U.S Class(es): 022, 039
Use in Commerce: Nov. 22, 1991

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: Yes
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: Yes	Currently No Basis: No	

Current Owner(s) Information

Owner Name: DISNEY ENTERPRISES, INC.
Owner Address: 500 South Buena Vista Street
Burbank, CALIFORNIA 91521
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kevin Daley
Attorney Primary Email Address: trademarks@disney.com
Docket Number: Theatrical D
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Kevin Daley
THE WALT DISNEY COMPANY
500 SOUTH BUENA VISTA STREET
CORPORATE LEGAL - TRADEMARK DEPARTMENT
BURBANK, CALIFORNIA 91521
UNITED STATES

Phone: (818) 560-6636

Fax: (818) 848-6424

Correspondent e-mail: trademarks@disney.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 21, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 21, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Jul. 21, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Jul. 16, 2014	TEAS SECTION 8 & 9 RECEIVED	
Mar. 24, 2014	NOTICE OF SUIT	
Mar. 26, 2013	NOTICE OF SUIT	
Dec. 18, 2012	NOTICE OF SUIT	
Sep. 03, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Aug. 19, 2009	ASSIGNED TO PARALEGAL	64591
Aug. 17, 2009	TEAS SECTION 8 & 15 RECEIVED	
Jun. 04, 2008	NOTICE OF SUIT	
Aug. 10, 2004	REGISTERED-PRINCIPAL REGISTER	
May 18, 2004	PUBLISHED FOR OPPOSITION	
Apr. 28, 2004	NOTICE OF PUBLICATION	
Feb. 25, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 12, 2004	SEC. 1(A) CLAIM ADDED	78288
Jan. 12, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 12, 2004	PAPER RECEIVED	
Jul. 30, 2003	NON-FINAL ACTION MAILED	
Jul. 14, 2003	ASSIGNED TO EXAMINER	73699

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 10, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 21, 2014